

Emergency Declaration:

08-07

Effective: **July 30, 2008 at 12:00 p.m. (noon) Central Time**
Through
August 4, 2008 at 12:00 p.m. (noon) Central Time

In response to the need to protect the electrical substation near the Clarence Cannon Dam at Mark Twain Lake which could be damaged by an emergency release of water from the lake, the State of Missouri, the Missouri Department of Transportation has issued the attached Emergency Declaration 08-07 to waive certain state and federal regulations for motor carriers who participate in Missouri emergency relief efforts.

While this declaration is in effect, participating carriers:

* Who transport property in Ralls County of Missouri, specifically related to hauling quarry products from Central Stone in Huntington to the substation site or returning empty for reload while offering assistance related to the protection of the substation.

While this declaration is in effect, participating motor carriers shall be subject to the following requirements:

While this declaration is in effect, participating carriers:

1. Are not required to abide by Hours-of-Service laws (Part 395 of Title 49, Code of Federal Regulations, as provided by the Revised Statutes of Missouri); and
2. Are allowed to haul overweight loads with the following limits:
 - a. 100,000 lbs. total gross weight for tractor trailers
 - b. 10,000 lbs more than the normal, legal limit for other commercial motor vehicle types
3. Shall benefit from the waiver while under load and when returning either empty or with loads directly related to the emergency; and
4. **Must carry a copy of this declaration in the vehicle while operating in response to relief efforts.**

NONE of the provisions in Emergency Declaration 08-07 shall apply to carriers who are not directly involved in emergency relief efforts.

Carriers must read and understand Emergency Declaration 08-07. In the event this note contradicts any information in Emergency Declaration 08-07, the Declaration shall control.

EMERGENCY DECLARATION

08-07

WHEREAS, extreme weather conditions due to continuing heavy rainstorms, water from recent heavy rainstorms now strain the Clarence Cannon Dam at Mark Twain Lake in Ralls County, Missouri, and must be released; and

WHEREAS, this release could result in damage to a downstream electrical substation, depriving the area of electricity if protective action is not taken quickly; and

WHEREAS, a large amount of quarry products are needed to protect the substation before the anticipated water release; and

WHEREAS, Matt Blunt, Governor of the State of Missouri, issued Executive Order 07-01 on January 2, 2007, and extended this order on December 29, 2007 with Executive Order 07-38, which authorizes the Director of the Missouri Department of Transportation (hereinafter, MoDOT), or the Director's designee, to issue Emergency Declarations for the limited purpose of temporarily suspending certain usual and necessary federal and state laws, regulations and administrative rules for commercial motor vehicles and drivers while they are transporting property and passengers to assist in the emergency relief efforts during the emergency; and

WHEREAS, Pete K. Rahn, MoDOT Director, issued a Memorandum on January 4, 2008, delegating the authority to Jan Skouby, MoDOT Motor Carrier Services Director, to issue such Emergency Declarations for the limited purpose of suspending certain federal and state laws, regulations and administrative rules for commercial motor vehicle and drivers while they are transporting property and passengers to assist in the emergency relief efforts during the emergency; and

NOW THEREFORE, I, JAN SKOUBY, MOTOR CARRIER SERVICES DIRECTOR FOR MODOT, by virtue of the authority delegated to me by Director Rahn under Executive Order 07-01 and Executive Order 07-38, hereby declare that I acknowledge the existence of a state of emergency in the above-mentioned counties in the State of Missouri, as a result of the severe weather conditions described above; and

WHEREAS, the safety and welfare of the citizens of the aforementioned Missouri counties require that operators of commercial motor vehicles upon the public highways within Missouri who are rendering assistance to the emergency efforts within the affected counties should be allowed more rapid and efficient travel to meet this emergency need for transportation of passengers and property; and

WHEREAS, this requirement for more rapid and efficient transportation would be facilitated by the temporary suspension of the driver's hours of service regulations, while drivers are transporting property in the aforementioned Missouri counties impacted by this Emergency Declaration;

WHEREAS, authorized personnel of the Missouri Department of Transportation, and Missouri State Highway Patrol officers and employees within the Missouri Department of Public Safety, who generally are authorized to enforce the provisions of Part 395 of Title 49, Code of Federal Regulations, as provided by the Revised Statutes of Missouri, shall recognize this temporary suspension of the driver's hours of service regulations during the duration of these emergency conditions, both while providing assistance to the emergency relief efforts during the emergency, and while returning empty to the motor carrier's terminal or driver's normal work reporting location; and

FURTHER, I direct that commercial motor carriers engaged in intrastate transportation within Ralls County, Missouri in support of disaster relief efforts identified in this Emergency Declaration, are allowed to move overweight loads of quarry products and return empty to and from Central Stone Quarry of Huntington, Missouri to the substation site near Clarence Cannon Dam, located on Route J within the following limits:

The commercial carrier must travel on Missouri highways, these are limited to:

State Route DD,
U.S. Route 36, and
State Route J

Loaded gross weight of the commercial motor vehicles are limited to:

One hundred thousand pounds (100,000 lbs.) per tractor trailer combination truck, or
An additional ten thousand pounds (10,000 lbs) over the gross legal weight normally allowed other commercial motor vehicles.

This declaration shall allow continuous movement, including nighttime and moves during curfew hours and holiday restriction periods; and

FURTHER, I direct that this Emergency Declaration shall become effective at 12:00 p.m. (noon) Central Time on Wednesday, July 30, 2008, and shall continue in effect until 12:00 p.m. (noon) on Monday, August 4, 2008, unless extended in whole or in part by a subsequent emergency declaration. Executed this 30th day of July 2008.

A handwritten signature in black ink, appearing to read "Jan Skouby". The signature is fluid and cursive, with the first name "Jan" and last name "Skouby" clearly distinguishable.

Jan Skouby, Director
Motor Carrier Services Division
Missouri Department of Transportation
Jefferson City, Missouri